

REMARKS

Claims 23-33 and 42-43 were pending and stand rejected. Claims 23 and 42-43 have been amended. Claim 44 has been added. Claims 23-33 and 42-44 are pending upon entry of this amendment.

Claims 23-33 and 42-43 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamato in view of Hershler. Applicant respectfully traverses.

On July 9, 2007, the Examiner and the undersigned attorney had a telephone interview during which they discussed claim 23 as amended herein. The Examiner agreed that claim 23 as amended herein is patentable over Yamato and Hershler, both individually and in combination. For example, neither Yamato nor Hershler discloses, teaches, or suggests the claimed element “determining a value of a characteristic of the generated cyclogram, wherein the value quantifies asymmetry of joint angles of the first limb and the second limb” (emphasis added).

Thus, claim 23 is patentable over Yamato and Hershler, both individually and in combination. Independent claims 42-43, as amended, recite similar language and are also patentable over Yamato and Hershler, both individually and in combination, for at least the same reasons.

Claims 24-33 and 44 depend from claim 23, which was shown to be patentable over Yamato and Hershler, alone and in combination. In addition, claims 24-33 and 44 recite other features not included in claim 23. Thus, claims 24-33 and 44 are patentable over Yamato and Hershler, alone and in combination, for at least the reasons discussed above, as well as for the elements that they individually recite.

Applicant respectfully submits that the pending claims are now allowable over the cited art of record and requests that the Examiner allow this case. The Examiner is invited to contact the undersigned in order to advance the prosecution of this application.

Respectfully submitted,
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